IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

Crl.Rev.Pet.No. 2873 of 2007()

C.C.NO.811/2002 ON THE FILE OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS, THIRUVALLA

REVN. PETITIONER: APPELLANT/ACCUSED

V.C.RAJAPPAN,
USHUS HOUSE,
MALLAPPALLY EAST P.O.,
MALLAPPALLY.

BY ADV. SRI.JOSEPH GEORGE

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE
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1. M.P.SASIDHARAN PILLAI,
MANNARAPADAVATH,MALLAPPALLY NORTH P.O.,
MALLAPPALLY TALUK.

2. STATE OF KERALA,REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

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Crl.R.P.No.2873 of 2007

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Dated this the 30th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo imprisonment till the rising of the court. He is further directed to pay a sum of Rs.1,90,000/- as compensation under Section 357(3) of the Code of Criminal Procedure and in default to undergo simple imprisonment for five months. The revision petitioner has sought for modification of sentence with respect to the default sentence awarded and also time to pay the compensation amount.

In the circumstances, the revision petitioner is granted six months time from today to remit the compensation amount and the default sentence is modified to three months. He shall appear before the Judicial Magistrate of the First Class, Thiruvalla, on 23/01/2008, to receive the sentence. The non bailable warrant, if any, pending shall be kept in abeyance.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

ms